

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

EB INTERNATIONAL, LLC

v.

**AGCS MARINE INSURANCE
COMPANY; VERICLAIM, INC.;
and JAY ADAME**

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CIVIL ACTION NO. 7:17-cv-00016

JURY

**STIPULATION OF DISMISSAL WITH PREJUDICE
UNDER FED.R.CIV.P. 41(a)(1)**

TO THE HONORABLE JUDGE HINOJOSA:

Plaintiff, EB INTERNATIONAL, LLC (“EBI”), and Defendants, AGCS MARINE INSURANCE COMPANY (“AGCS”) and VERICLAIM, INC. (“Vericlaim”)¹, collectively referenced hereafter as “the Parties,” respectfully submit this “Stipulation of Dismissal with Prejudice” under Rule 41 of the Federal Rules of Civil Procedure, and would show the Court as follows:

The Parties have reached a mutually satisfactory resolution of all causes of action, claims, obligations, demands, liens, and any other requests for relief of any nature whatsoever arising out of, pertaining to, or related in any manner to an insurance claim which was submitted to AGCS Marine Insurance Company (“AGCS”) by EB International, LLC (“EBI”) to recover for damage to commercial real property owned by EBI and which was caused by a May 2016 windstorm that struck the area in and around Hidalgo, Texas, and which is described in greater detail in the pleadings on file herein.

¹ The Plaintiff also named Mr. Jay Adame as a Defendant. Per its minute entry of March 21, 2017, however, the Court found that Mr. Adame was improperly joined. As such, Mr. Adame was never subject to the jurisdiction of the Court and is not included in this Stipulation. He is deemed to have been dismissed without prejudice at that time.

Accordingly, the Parties, through their undersigned counsel, hereby respectfully request that all causes of action, claims, obligations, demands, liens, and any other requests for relief of any nature whatsoever that have been asserted in this action, or which could have been asserted herein, be dismissed in their entirety with prejudice.

Such dismissal will dispose of the entire case. Each party shall bear its own attorneys' fees and respective taxable costs of court.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of January, 2018, a true copy of this document was electronically filed and that the counsel of record noted below designated as counsel to receive electronic service of all instruments filed herein were served on this date, per the mandatory electronic filing rules.

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